



RE: Erie Industrial Park and Michael Szuch Alleged Violations  
(UNCLASSIFIED)

Wendy Melgin to: Keppner, Harold T LRB  
Cc: "Kassler, Joseph E LRB", Greg Carlson

01/14/2013 01:02 PM

Hi Harold, I would like Greg Carlson to work on this with you and Joe. This week should work for a call; I'll check with Greg tomorrow when he's in the office. Thanks.

"Keppner, Harold T LRB"

Classification: UNCLASSIFIED Caveats:...

01/14/2013 12:58:32 PM

From: "Keppner, Harold T LRB" <Harold.T.Keppner@usace.army.mil>  
To: Wendy Melgin/R5/USEPA/US@EPA,  
Cc: "Kassler, Joseph E LRB" <Joseph.E.Kassler@usace.army.mil>  
Date: 01/14/2013 12:58 PM  
Subject: RE: Erie Industrial Park and Michael Szuch Alleged Violations (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Wendy,

Happy New Year and I hope all is well. At this point I would like to set-up a call to discuss the Erie Industrial Park (ARES) referenced below. At this point the Corps would handle the Szuch parcel to the east were those activities appear to fall under a NWP authorization. However, the ARES site is another story.

Based on a review office resources and a field visit performed in late November, it appears approximately 10-12 acres of wetland have been filled without proper authorization on the ARES site since ~2009. These wetlands are adjacent (direct hydrological connection to Lake Erie). Based on the national MOA I believe this is a project for EPA action. Joe Kassler of my staff will be providing you additional resources regarding the project. I would like to discuss ASAP as at this point we have not issued any written correspondence to the alleged violator and some indications are there may be on-going fills. Let me know a time/date and we can go from there. Thanks.

Harold T. Keppner  
U.S. Army Corp of Engineers - Buffalo District  
Regulatory Branch  
Chief, Monitoring & Enforcement Section  
1776 Niagara Street  
Buffalo, New York 14207  
716-879-4120  
716-352-5085 (BlackBerry)

-----Original Message-----

From: Melgin.Wendy@epamail.epa.gov [mailto:Melgin.Wendy@epamail.epa.gov]  
Sent: Monday, December 03, 2012 9:55 AM  
To: Keppner, Harold T LRB  
Subject: RE: Erie Industrial Park and Michael Szuch Alleged Violations (UNCLASSIFIED)

ok thanks Harold; we can talk when you figure out what is going on out there.

-----"Keppner, Harold T LRB" <Harold.T.Keppner@usace.army.mil> wrote: -----  
To: Wendy Melgin/R5/USEPA/US@EPA

✓ restore

✓ Szuch  
✓ fill to west  
✓ ownership

From: "Keppner, Harold T LRB" <Harold.T.Keppner@usace.army.mil>  
Date: 12/03/2012 08:27AM  
Cc: "Kassler, Joseph E LRB" <Joseph.E.Kassler@usace.army.mil>  
Subject: RE: Erie Industrial Park and Michael Szuch Alleged Violations  
(UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Wendy,  
I dropped the ball in a sense after reading your reply from October 19th. Corps staff did perform a visit at these sites on November 20th. At this point there appears to be multiple acres of wetland fill. We are currently pulling together the results of the field visit and when complete I'll forward a copy to you for review and discussion. Just wanted to give you a heads-up as something more may be coming your way towards the end of this week regarding this matter.

Harold T. Keppner  
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-----Original Message-----

From: Melgin.Wendy@epamail.epa.gov [mailto:Melgin.Wendy@epamail.epa.gov]  
Sent: Friday, October 19, 2012 12:39 PM  
To: Keppner, Harold T LRB  
Subject: RE: Erie Industrial Park and Michael Szuch Alleged Violations  
(UNCLASSIFIED)

ok, let me know when the site visit is and I could possible send someone to assist.

-----"Keppner, Harold T LRB" <Harold.T.Keppner@usace.army.mil> wrote: -----  
To: Wendy Melgin/R5/USEPA/US@EPA  
From: "Keppner, Harold T LRB" <Harold.T.Keppner@usace.army.mil>  
Date: 10/19/2012 11:32AM  
Cc: David Schulenberg/R5/USEPA/US@EPA  
Subject: RE: Erie Industrial Park and Michael Szuch Alleged Violations  
(UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Ok, I'll keep you informed as we look further into contacting the owners and setting up a site visit.

HK

-----Original Message-----

From: Melgin.Wendy@epamail.epa.gov [mailto:Melgin.Wendy@epamail.epa.gov]  
Sent: Friday, October 19, 2012 12:12 PM  
To: Keppner, Harold T LRB  
Cc: Schulenberg.David@epamail.epa.gov  
Subject: Re: Erie Industrial Park and Michael Szuch Alleged Violations

Refer to the attached drawings entitled Site Figure which includes the approximate lat/long for the alleged violations. All the alleged violations are occurring north of Front Street at and adjacent to the Erie Industrial Park. Based upon the aerials and the information received it appears approximately three alleged violations are occurring on a property owned by EPG2 LLC which has a mailing address of 4267 E Konker Road, Port Clinton, Ohio 43452. Reportedly this property is leased and used for weapons testing by ARES, Inc which has a mailing address of 818 Front Street, Lake Erie Business Park, Port Clinton, Ohio 43452. According to the Ottawa County Auditors website the ARES property is owned by Erie Machine & Engineering LLC, 4267 E Konker Road, Port Clinton, Ohio 43452 which is the same mailing address of EPG2 LLC.

The other property owner involved is a Michael Szuch who owns the parcel directly to the east. This alleged violation was previously forwarded in April 2012 but I could not locate any information in ORM. I will re-send the Szuch information in a second e-mail.

Paul was able to drive by the site yesterday but could not see any alleged activity as all of the alleged fills are reportedly occurring north of a series of buildings. He was however able to identify some of the land marks reported in the alleged violations and did note a dump truck in the general area of the alleged violations but could not follow it.

Brian Swartz  
U.S. Army Corps of Engineers  
Buffalo District - Oak Harbor Field Office  
240 Lake Street, Unit D  
Oak Harbor, Ohio 43449  
419 898-3491, 419 898-4292 (fax)

573.4

Classification: UNCLASSIFIED  
Caveats: NONE

Classification: UNCLASSIFIED  
Caveats: NONE

----- Message from "Swartz, Brian P LRB" <Brian.P.Swartz@usace.army.mil> on Thu, 18 Oct 2012 13:21:26 -0400 -----

To: "Keppner, Harold T LRB" <Harold.T.Keppner@usace.army.mil>cc:  
"Wetzel, Paul F LRB" <Paul.F.Wetzel@usace.army.mil>Subject:  
FW: Alleged Violation - Szuch (UNCLASSIFIED)Classification:  
UNCLASSIFIED  
Caveats: NONE

-----Original Message-----

From: Swartz, Brian P LRB  
Sent: Wednesday, April 25, 2012 9:13 AM  
To: Keppner, Harold T LRB; Crockett, Timothy J LRB  
Subject: Alleged Violation - Szuch (UNCLASSIFIED)

(UNCLASSIFIED)

Hi Harold, if it is 20 acres or so adjacent to Lake Erie, we would be interested. See what you can find out and then we can talk. I'll need to see who could take it if that's the way we go!  
Thanks for the heads up though.

-----"Keppner, Harold T LRB" <Harold.T.Keppner@usace.army.mil> wrote: -----  
To: Wendy Melgin/R5/USEPA/US@EPA, David Schulenberg/R5/USEPA/US@EPA  
From: "Keppner, Harold T LRB" <Harold.T.Keppner@usace.army.mil>  
Date: 10/19/2012 10:17AM  
Subject: Erie Industrial Park and Michael Szuch Alleged Violations  
(UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Dave/Wendy,  
Don't want to get the cart before the horse, but attached is information pertaining to alleged wetland fills in the Port Clinton area of Ohio. Corps staff have not been to the site or contacted the reputed owners as we are currently tracking down details at this point. However, based on aerials it appears that since ~2009 and most since 2011, ~20 acres of wetland may have been filled/disturbed. Jurisdiction should be straight forward as these wetlands abut/are adjacent to Lake Erie. At this point we plan to attempt to contact the owners and gain site access. However, if we confirm what the resources seem to indicate this is certainly one I would consider for referral to USEPA.  
Prior to the Corps proceeding, any thoughts/concerns? Let me know if you would like to discuss prior to the Corps proceeding with contacting the owners as we want to get on this one. Thanks.

Harold T. Keppner  
U.S. Army Corp of Engineers - Buffalo District  
Regulatory Branch  
Chief, Monitoring & Enforcement Section  
1776 Niagara Street  
Buffalo, New York 14207  
716-879-4120  
716-352-5085 (BlackBerry)

-----Original Message-----

From: Swartz, Brian P LRB  
Sent: Thursday, October 18, 2012 1:21 PM  
To: Keppner, Harold T LRB  
Cc: Wetzal, Paul F LRB  
Subject: Erie Industrial Park and Michael Szuch Alleged Violations  
(UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Harold

Paul and I have been able to pull some information together which we believe narrows the properties in which the alleged violations are occurring in the Erie Industrial Park. There appears to be approximately four different violations and possibly two to three different property owners. It appears some of the fills begin in 2009, 2011 and 2012.

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Caveats: NONE

Harold

Attached is the information concerning the alleged Szuch violation at the former Erie Industrial site we discussed earlier this morning. Mr. Szuch name is in ORM concerning the following files: 2001-1826, 2004-00187 and 2010-0911.

Attached is the owner data and a 2011 aerial from the Ottawa County Auditors site and a 2011 aerial from Google Earth.

Brian Swartz  
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419 898-3491, 419 898-4292 (fax)

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[attachment "Alleged Violations - Google Earth 2009 August 31.pdf" removed by Wendy Melgin/R5/USEPA/US]  
[attachment "Alleged violations - google Earth 2010.pdf" removed by Wendy Melgin/R5/USEPA/US]  
[attachment "Alleged Violations - Google Earth 2011.pdf" removed by Wendy Melgin/R5/USEPA/US]  
[attachment "Alleged Violations - Google Earth 2012.pdf" removed by Wendy Melgin/R5/USEPA/US]  
[attachment "Alleged Violations - Google Earth 2006.pdf" removed by Wendy Melgin/R5/USEPA/US]  
[attachment "Alleged Violations - Google Earth 2009 August 14.pdf" removed by Wendy Melgin/R5/USEPA/US]  
[attachment "Site Figure (2012 Ottawa County).pdf" removed by Wendy Melgin/R5/USEPA/US]  
[attachment "Szuch 2011 google earth.JPG" removed by Wendy Melgin/R5/USEPA/US]  
[attachment "Szuch 2011.JPG" removed by Wendy Melgin/R5/USEPA/US]  
[attachment "Szuch data.JPG" removed by Wendy Melgin/R5/USEPA/US]  
[attachment "Record of Complaint BS (2).pdf" removed by Wendy Melgin/R5/USEPA/US]

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Caveats: NONE

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